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5
6 **UNITED STATES DISTRICT COURT**
7 **DISTRICT OF NEVADA**

8 UNITED STATES OF AMERICA,

9 Plaintiff,

10 v.
11 DOUGLAS EDWARDS III,

12 Defendant.

2:20-cr-00121-GMN-NJK

**Stipulation to Vacate Calendar Call
and Trial Dates and Set Matter for
Entry of Plea**

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14 Plaintiff United States of America, by and between Nicholas A. Trutanich, United
15 States Attorney, and Rachel Kent, Special United States Attorney, counsel for the
16 United States of America and Defendant Douglas Edwards III, by and through his
17 attorney of record, Evan D. Schwab, file this Stipulation to Vacate Calendar Call and
18 Trial Dates and Set Matter for Entry of Plea ("Stipulation") as follows.

19 This Stipulation is entered into for the following reasons:

- 20 1. Trial in this matter is presently set for December 14, 2020 at 8:30 a.m. in
21 Courtroom 7D before the Honorable Gloria M. Navarro.¹
- 22 2. Calendar Call in this matter is presently set for December 8, 2020 at 9:00 a.m. in
23 Courtroom 7D before the Honorable Gloria M. Navarro.²
- 24 3. The Parties have previously filed a Consent to Proceed Before a Magistrate
25 Judge in a Misdemeanor Case ("Consent") on October 13, 2020 that is pending

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27 ¹ Document No. 19, Minutes of Proceedings.

28 ² Document No. 19, Minutes of Proceedings.

signature and approval by the Court. The charges against Defendant are misdemeanor in nature.

4. Counsel for the United States and Counsel for the Defendant have entered into a
5. plea negotiation that would globally resolve the case. The Parties are requesting
6. that the Court set an entry of plea date in place of the current trial and calendar
call dates.
7. Additional time is required to set this matter for entry of plea and allow the
8. Parties to put their negotiation on the record.
9. Defendant is not in custody and does not object to the above discussed
10. continuance.
11. Additionally, denial of this request for continuance could result in a miscarriage
12. of justice. The additional time requested by this Stipulation is excusable in
13. computing the time within which the trial herein must commence pursuant to
14. the Speedy Trial Act, Title 18, United States Code, Section 3161(h)(7)(A),
15. considering the factors under Title 18, United States Code, Section
16. 3161(h)(7)(B)(i), (v).
17. This is the second request for continuance.

Dated October 13, 2020

Schwab Law Firm PLLC

/s/ Evan Schwab

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Attorneys for Defendant Douglas Edwards III

Dated October 13, 2020

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/s/ Rachel Kent

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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,
Plaintiff,
v.
DOUGLAS EDWARDS III,
Defendant.

2:20-cr-00121-GMN-NJK

ORDER ON

**Stipulation to Vacate Calendar Call
and Trial Dates and Set Matter for
Entry of Plea**

Findings of Fact

Based on the pending Stipulation of Counsel, and good cause appearing therefore, the Court finds that:

1. Trial in this matter is presently set for December 14, 2020 at 8:30 a.m. in Courtroom 7D before the Honorable Gloria M. Navarro.³
 2. Calendar Call in this matter is presently set for December 8, 2020 at 9:00 a.m. in Courtroom 7D before the Honorable Gloria M. Navarro.⁴
 3. The Parties have previously filed a Consent to Proceed Before a Magistrate Judge in a Misdemeanor Case (“Consent”) on October 13, 2020 that is pending signature and approval by the Court. The charges against Defendant are misdemeanor in nature.
 4. Counsel for the United States and Counsel for the Defendant have entered into a plea negotiation that would globally resolve the case. The Parties are requesting that the Court set an entry of plea date in place of the current trial and calendar call dates.
 5. Additional time is required to set this matter for entry of plea and allow the Parties to put their negotiation on the record.

³ Document No. 19, Minutes of Proceedings.

⁴ Document No. 19. Minutes of Proceedings.

6. Defendant is not in custody and does not object to the above discussed continuance.

7. Additionally, denial of this request for continuance could result in a miscarriage of justice. The additional time requested by this Stipulation is excusable in computing the time within which the trial herein must commence pursuant to the Speedy Trial Act, Title 18, United States Code, Section 3161(h)(7)(A), considering the factors under Title 18, United States Code, Section 3161(h)(7)(B)(i), (v).

8. This is the second request for continuance.

Conclusions of Law

The ends of justice are served by granting this continuance based upon the reasons above. The relief sought herein is excusable under (including but not limited to) the Speedy Trial Act, Title 18, United States Code, Section 3161(h)(7)(A), considering the factors under (including but not limited to) Title 18, United States Code, Section 3161(h)(7)(B)(i), (iv).

Order

IT IS SO ORDERED that this case is set for trial or entry of plea on October 16, 2020, at 2:00 p.m., in Courtroom 3C. Defendant, all counsel, and any witnesses if the case is to proceed to trial, must be present in person in the courtroom.

IT IS FURTHER ORDERED that the parties will provide the signed plea agreement or witness list, exhibit list, and trial briefs (if the case is to proceed to trial) to Ari Caytuero, no later than October 15, 2020, at 3:00 p.m.

IT IS FURTHER ORDERED that no continuances will be granted.

IT IS FURTHER ORDERED that failure to comply with any portion of this order may result in sanctions.

DATED: October 14, 2020.

NANCY J. KOPPE
UNITED STATES MAGISTRATE JUDGE